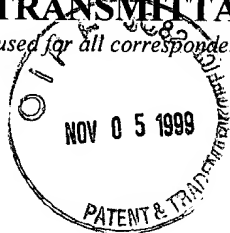


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CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>November 2, 1999</u>			
Typed or Printed Name	Kimberly W. Zuehlke		
Signature	<u>Kimberly W Zuehlke</u>	Date	November 2, 1999

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i> 	Attorney Docket	OLIG-020
	First Named Inventor	Roderic M.K. Dale
	Application Number	09/408,761
	Filing Date	September 29, 1999
	Title	Methods for Production of Arrays...
	Group Art Unit	1636
	Examiner Name	To Be Assigned

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Issue Fee Transmittal <i>(with copy of PTOL-85B)</i>	<input type="checkbox"/> Request for Refund
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Formal Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Amendment/Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip and Accompanying Petition	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney	<input checked="" type="checkbox"/> Declaration and Power of Attorney
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Revocation	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Associate	<u>return receipt postcard;</u>
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	<input type="checkbox"/> Change of Correspondence Address	<u>Copy of the Notice to File</u>
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Terminal Disclaimer	<u>Missing Parts</u>
	<input checked="" type="checkbox"/> Small Entity Statement	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Individual Name	Dianna L. DeVore	Registration No.	42,484
Firm Name	BOZICEVIC, FIELD & FRANCIS LLP		
Signature	<u>Dianna L. DeVore</u>		
Date	November 2, 1999		

# FEE TRANSMITTAL

Note: Effective October 1, 1998.  
Patent fees are subject to annual revision.

NOV 05 1999

Attorney Docket Number OLIG-020

First Named Inventor Roderic M.K. Dale

## COMPLETE IF KNOWN

Application Number 09/408,761

Filing Date September 29, 1999

Group Art Unit 1636

Examiner Name To Be Assigned

TOTAL AMOUNT OF PAYMENT

\$688.00

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge any additional fees and credit any overpayments to:  
Deposit Account No. 50-0815.  
Deposit Account Name: Bozicevic, Field & Francis LLP  
☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
Charge the Issue Fee set in 37 CFR 1.18 at the mailing of the Notice of Allowance

2. ☒ Payment Enclosed:  
☒ Check  
☐ Money Order  
☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
101	760	201	380	Utility filing fee	\$380
102	310	206	155	Design filing fee	
104	480	207	240	Plant filing fee	
109	760	208	380	Reissue filing fee	
110	150	214	75	Provisional filing fee	
SUBTOTAL (1)					\$380

### 2. CLAIMS

No. of claims as filed or after amendment	Most claims previously paid	Extra claims	Fee from below	Fee Due
Total claims 21	20	1	9	\$9
Ind. claims 9	3	6	39	234
Multiple Dependent claims		0	130	0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim
109	78	209	39	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of and over original patent

SUBTOTAL (2) \$623

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Due
105	130	205	65	Surcharge - late filing fee or oath	65
139	130	139	130	Non-English specification	
115	110	215	55	Ext. for reply within first month	
117	870	217	435	Ext. for reply within third month	
128	1,850	228	925	Ext. for reply within fifth month	
120	300	220	150	Filing brief in support of appeal	
140	110	240	55	Petition to revive - unavoidable	
142	1,210	242	605	Utility issue fee (or reissue)	
123	50	123	50	Petitions related to prov. appl.	
146	760	246	380	Filing submission after final rejection (37 CFR 1.129(a))	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
143	430	243	215	Design issue fee	
581	40	581	40	Recording patent assignment	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
147	2,520	147	2,520	Filing a request for reexamination	
116	380	216	190	Ext. for reply within second month	
118	1,360	218	680	Ext. for reply within fourth month	
119	300	219	150	Notice of Appeal	
121	260	221	130	Request for oral hearing	
141	1,210	241	605	Petition to revive - unintentional	
122	130	122	130	Petitions to the Commissioner	
126	240	126	240	Submission of IDS	
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
144	580	244	290	Plant issue fee	
Other fee (specify)					

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$688)

### SUBMITTED BY

Typed or Printed Name Dianna L. DeVore, BOZICEVIC, FIELD & FRANCIS LLP

Signature

*Dianna L. DeVore*

Date

November 2, 1999

Complete (if applicable)

Reg. Number 42,484

Deposit Account 50-0815

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>November 2, 1999</u>			
Typed or Printed Name	Kimberly W. Zuehlke		
Signature	<i>Kimberly W Zuehlke</i>	Date	November 2, 1999

<b>RESPONSE TO MISSING PARTS</b>  Address to: Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	OLIG-020
	First Named Inventor	Roderic M.K. Dale
	Application Number	09/408,761
	Filing Date	September 29, 1999
	Group Art Unit	1636
	Examiner Name	To Be Assigned
	Title	Method for Production of Arrays with Modified Oligonucleotide and Polynucleotide Compositions

Sir:

In response to the Notice to File Missing Parts dated October 20, 1999, transmitted herewith for filing are the following documents:

1. a copy of the Notice to File Missing Parts;
2. a Combined Declaration and Power of Attorney signed by the inventors;
3. a Verified Statement Claiming Small Entity Status;
4. a check in the amount of \$688.00 (surcharge, \$65; statutory basic filing fee, \$380; additional claim fees, \$243) to cover the fees required.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815.

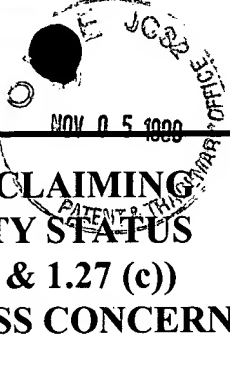
Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 11/2/99

By: *Dianna L DeVore*  
Dianna L. DeVore  
Registration No. 42,484

BOZICEVIC, FIELD & FRANCIS LLP  
 285 Hamilton Avenue, Suite 200  
 Palo Alto, California 94301  
 Telephone: (650) 327-3400  
 Facsimile: (650) 327-3231  
 F:\DOCUMENT\OLIG\020\miss parts.wpd

#3



**STATEMENT CLAIMING  
SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27 (c))  
SMALL BUSINESS CONCERN**

Attorney Docket	OLIG-020
First Named Inventor	Roderic M.K. Dale
Application Number	09/408,761
Filing Date	September 29, 1999
Title	Methods for Production of Arrays...

I hereby state that I am:

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Oligos Etc. Inc.  
ADDRESS OF SMALL BUSINESS CONCERN: 9775 SW Commerce Circle, Building C6  
Wilsonville, Oregon 97070 U.S.A.

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- ☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or by a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_  
☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

SIGNATURE Roderic M.K. Dale DATE: 10/29/99

NAME OF PERSON SIGNING: Roderic M.K. Dale

TITLE IN ORGANIZATION OF PERSON SIGNING: CEO and President

ADDRESS OF PERSON SIGNING: 9775 SW Commerce Circle, Building C6, Wilsonville, Oregon 97070 U.S.A.

NOV 05 1999



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/408,761	09/29/99	DALE	R OLIG-020

0262/1020  
DIANNA L DEVORE  
BOZICEVIC FIELD AND FRANCIS LLP  
285 HAMILTON AVENUE SUITE 200  
PALO ALTO CA 94301  
NOT ASSIGNED  
1636

DATE MAILED: 10/20/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 or a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 1376-

☒ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.  
Applicant must submit \$ 760- to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. The following additional claims fees are due:  
\$ 18- for 1 total claims over 20.  
\$ 468- for 6 independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

**BEST AVAILABLE COPY**

☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☐ does not cover the newly submitted items.  
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*D. D. Durham*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

11/09/1999 TL0011 00000072 09408761  
01 FC:201  
02 FC:202  
03 FC:203  
04 FC:205  
380.00 OF  
234.00 OF  
9.00 OF  
65.00 OF

*RL 10/29*  
*JAP 12/20/99*  
*LD 4/20/2000*